

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

PUBLIC SERVICE COMMISSION	)	
	)	
V.	)	CASE NO. 8828
	)	
CALVERT INVESTMENTS, INC.	)	

O R D E R

On July 26, 1984, Calvert Investments ("Calvert") filed a Motion to combine Cases 8761 and 8936 with this case and to join the City of Minor Lane Heights ("Minor Lane Heights") in a scheduled hearing, also in this case. On August 3, 1984, Minor Lane Heights responded by stating that the Motion should be denied.

Case No. 8936 involved an attempted sale of Calvert to Minor Lane Heights, which was originally approved by the Commission, but subsequently denied by Order dated January 31, 1985, because Minor Lane Heights is now unwilling to purchase Calvert. Case No. 8761 involved a rate request by Calvert wherein the Commission, by Order dated July 7, 1983, found its rates to be excessive. By Order dated July 7, 1983, in Case No. 8828, show cause proceedings were instituted to lower Calvert's rates pursuant to KRS 278.270.

After consideration of the record and being advised, the Commission finds that:

1. Minor Lane Heights did attend and participate at the scheduled hearing, on August 7, 1984, but again objected to the Motion.

2. By Order in Case No. 8936, dated November 2, 1984, the Commission rescinded its approval for Calvert to sell to Minor Lane Heights its sewage system. This Order was subsequently affirmed by Order dated January 31, 1985, following rehearing. Therefore, Minor Lane Heights has no standing in this case and should not be made a party unless it so requests.

3. Case No. 8936 involved an attempted sale of Calvert and did not contain any issues involving the fair, just and reasonable rates to be charged its customers. Therefore, that case should not be combined with this case.

4. Case No. 8761 was the predecessor of this case and should be combined by reference only.

IT IS THEREFORE ORDERED that Calvert's Motion of July 26, 1984, be and it hereby is granted only to the extent that it moves to combine by reference only Case No. 8761 into this case.

IT IS FURTHER ORDERED that all other issues raised in Calvert's Motion be and they are hereby denied.

Done at Frankfort, Kentucky, this 15th day of February, 1985.

PUBLIC SERVICE COMMISSION

*Richard D. Herman*  
Chairman

*W. C. L. L.*  
Vice Chairman

*Frank Smith*  
Commissioner

ATTEST:

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Secretary